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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,982	06/22/2001	Babak Rezvani	CT-006	8195
1473	7590	06/21/2005	EXAMINER	
FISH & NEAVE IP GROUP ROPES & GRAY LLP 1251 AVENUE OF THE AMERICAS FL C3 NEW YORK, NY 10020-1105			NGUYEN, THU HA T	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/887,982	REZVANI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thu Ha T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 December 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-60 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5-8-12-10
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-60 are presented for examination.

**Response to Arguments**

2. Applicant's arguments filed December 08, 2004 have been fully considered but they are not persuasive because of the following reasons:

3. Applicant argues that Humpleman does not teach or suggest registration of information associated with a virtual representation of a device at a remote site. In response to applicant argument, examiner asserts that Humpleman does teach the home devices registers with remote site so that user can remotely control home devices as shown in col. 9, lines 30-col. 10, lines 58, col. 11, lines 60-col. 12, lines 22, col. 20, line 58-col. 21, line 15.

4. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 21 and 41. Claims 2-20, 22-40, and 42-60 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in this office action [see rejection below].

5. Applicants still have failed to identify specific claim limitations that would define a patentable distinction over cited prior arts. Accordingly, rejections for claims 1-60 are rejected.

**Claim Rejections - 35 USC § 102**

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-60 are rejected under 35 U.S.C. §102(e) as being anticipated by **Humbleman et al.** (hereinafter Humbleman) U.S. Patent No. **6,288,716**.

8. As to claim 1, Humbleman teaches the invention as claimed, including a method for controlling a device using a virtual representation of the device comprising:  
registering information regarding a virtual representation of the device at a remote site (figures 1, 4, col. 9, lines 30-col. 10, lines 58, col. 11, lines 60-col. 12, lines 22);

generating the virtual representation of device on a remote user access device using the registered information (figures 1, 6-8, 10-11, col. 7, lines 4-67);  
transmitting a command to the device from the remote user access device; and executing the command (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, lines 49-col. 16, lines 19).

9. As to claim 2, Humbleman teaches the invention as claimed, further comprising receiving an indication of a desire access the device (figures 1, 8, 10-11, col. 7, lines 4-47, col. 15, lines 49-col. 16, lines 19).

10. As to claim 3, Humpleman teaches the invention as claimed, further comprising receiving a request to command the device to perform a function (col. 7, lines 4-67, col. 14, lines 42-62).

11. As to claim 4, Humpleman teaches the invention as claimed, wherein registering information regarding the virtual representation of the device comprises transmitting the information associated with the device from the device a remote database (figure 4, col. 11, lines 60-col.12, lines 22).

12. As to claim 5, Humpleman teaches the invention as claimed, wherein the information regarding the virtual representation of the device comprises information regarding a parameter an action, an indicator (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

13. As to claim 6, Humpleman teaches the invention as claimed, wherein the information regarding the virtual representation of the device comprises component, resource, template (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

14. As to claim 7, Humpleman teaches the invention as claimed, wherein registering the information regarding the virtual representation of the device at a remote site is performed by the device (col. 7, lines 4-67, col. 14, lines 42-62).

15. As to claim 8, Humpleman teaches the invention as claimed, wherein generating the virtual representation further comprises generating a web wherein the web page comprises at least one indicator (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

16. As to claim 9, Humpleman teaches the invention as claimed, wherein generating the virtual representation comprises dynamically generating the web page based a set of criteria (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

17. As to claim 10, Humpleman teaches the invention as claimed, wherein the set criteria comprises display language, device type, or time of day (col. 8, lines 55-67, col. 9, lines 30-45).

18. As to claim 11, Humpleman teaches the invention as claimed, wherein generating the virtual representation the device comprises: generating a display component and displaying the display component using template document (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

19. As to claim 12, Humpleman teaches the invention as claimed, wherein generating a display component inserting information regarding component into the

template document; generating the display component using information inserted into the template (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

20. As to claim 13, Humpleman teaches the invention as claimed, wherein generating a virtual representation of the device comprises: generating a display resource and displaying the display resource using a template document (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

21. As to claim 14, Humpleman teaches the invention as claimed, further comprising: selecting a template from a plurality of templates associated with the device and selecting a component associated with the selected template (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 10, lines 59).

22. As to claim 15, Humpleman teaches the invention as claimed, wherein selecting template comprises selecting the template from the plurality of templates based on display language, device type, or time of day (col. 8, lines 55-67, col. 9, lines 30-45).

23. As to claim 16 Humpleman teaches the invention as claimed, wherein transmitting the command to further comprises transmitting the command from a remote user access device to a remote database (figures 1, 8, 10-11, col. 7, lines 4-47, col. 12, lines 13-34, col. 15, lines 49-col. 16, lines 19).

24. As to claim 17, Humpleman teaches the invention as claimed, wherein transmitting the command to the device further comprises transmitting the command from remote database device (figures 1, 8, 10-11, col. 7, lines 4-47, col. 12, lines 13-34, col. 15, lines 49-col. 16, lines 19).

25. As to claim 18, Humpleman teaches the invention as claimed, further comprising: generating data indicating that the command has been executed and generating an indicator on the web page using the data to reflect the state of the device (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 11, lines 21, col. 12, lines 13-22).

26. As to claim 19, Humpleman teaches the invention as claimed, further comprising generating data indicating that the executed and updating a component using the generated data to reflect the state of the device (figures 6-8, 10-11, col. 7, lines 4-67, col. 9, lines 30-col. 11, lines 21, col. 12, lines 13-22).

27. As to claim 20, Humpleman teaches the invention as claimed, wherein executing the command is performed by the device (col. 7, lines 4-67, col. 14, lines 42-62).

28. As to claim 21, Humpleman teaches the invention as claimed, including a system for controlling a device using a virtual representation of device comprising:

means for registering information regarding a virtual representation of the device at remote site (figures 1, 4, col. 9, lines 30-col. 10, lines 58, col. 11, lines 60-col. 12, lines 22);

means for generating the virtual representation of the device a remote user access device using the registered information (f figures 1, 6-8, 10-11, col. 7, lines 4-67);

means for transmitting a command the device from the remote user access device; and means for executing the command (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, lines 49-col. 16, lines 19).

29. As to claim 41, Shields teaches the invention as claimed, including a virtual representation of a device comprising: a processor programmed to:

register information regarding a virtual representation of the device at remote site (figures 1, 4, col. 9, lines 30-col. 10, lines 58, col. 11, lines 60-col. 12, lines 22);

generate the virtual representation of the device on a remote user access device using the registered information (figures 1, 6-8, 10-11, col. 7, lines 4-67);

transmit a command to the device from the remote user access device; execute the command (col. 7, lines 4-67, col. 14, lines 42-62, col. 15, lines 49-col. 16, lines 19).

30. As to claim 22-40 and 42-60, they are system claims directed to controlling a device using a virtual representation of the device of method claims 2-20. Claims 22-40 and 42-60 have similar limitations to claims 2-20; therefore, they are rejected under the same rationale.

### **Conclusion**

31. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached at (571) 272-4001.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Bharat Barot*  
BHARAT BAROT  
PRIMARY EXAMINER

Thu Ha Nguyen

June 8, 2005